IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI

THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT APPEAL No. 878 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 05-11-2004 in WP No. 20353 OF 2004 on the file of the High Court.)

Between:

1. Nadepalli Sathi Raju, s/o Nookayya,
Thondangi Village and Mandalam, East Godavari District.
2. Nadepalli Chandra Rao, s/o Sathi Raju,
Thondangi Village and Mandalam, East Godavari District.
3. Nadepalli Naga Raju, s/o Nookayya,
Thondangi Village and Mandalam, East Godavari District.
4. Nadepalli Chandra Rao, s/o Naga Raju,
Thondangi Village and Mandalam, East Godavari District.

..... APPELLANTS

AND

1.The Commissioner, Temple Lands & Endowments, Govt. of A.P., Tilak Road, Hyderabad.
2.The Regional Joint Commissioner, Temple Endowments Department, Kakinada, East Godavari District.
3. The Assistant Commissioner, Temple & Endowments Land, Rajahmundry, East Godavari District.
4.The Executive Officer, Pithapuram Endowments Lands Pithapuram, East Godavari District.

.....RESPONDENTS

Counsel for the Appellants: Mr. G.RAMACHANDRA RAO

Counsel for the Respondents : GP FOR ENDOWMENTS

The Court made the following :

ORAL JUDGMENT:

(per Honourable Sri Bilal Nazki, the Acting Chief Justice)

Heard learned counsel for parties.

This is an appeal against the judgment of the learned Single Judge. The findings of fact recorded by the authorities below are that the petitioners are in possession of Ac.4.50 of wet land and 4.50 acres of dry-wet land covered by R.S.No.690/7. The learned counsel for the petitioners submits that this land is in occupation of the petitioners, and, as such, they are not holding more than 2 acres per head. But the finding is that the tenant was only one, who had been rented out this land. But, some order shows that there were two tenants. But, even if they are two tenants, they exceed the limit of being landless poor. These are findings of fact and the learned Single Judge was right that this Court would not be in a position to interfere in the matter.

We do not find any ground to interfere in the judgment of the learned Single Judge. The Writ Appeal, therefore, is dismissed. No costs.

_____

BILAL NAZKI, ACJ.

8.6.2005.

_____

G.CHANDRAIAH, J.

VR.

To

1.The Commissioner, Temple Lands & Endowments, Govt. of A.P., Tilak Road, Hyderabad.
2.The Regional Joint Commissioner, Temple Endowments Department, Kakinada, East Godavari District.
3. The Assistant Commissioner, Temple & Endowments Land, Rajahmundry, East Godavari District.
4.The Executive Officer, Pithapuram Endowments Lands Pithapuram, East Godavari District.

5. Two CCs to Government Pleader for Endowments, High Court Buildings, Hyderabad (OUT).

6. Two CD copies.